

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

---

In re:

Case No. 10-10741

HOLLY RAJ, INC.,

Debtor.

---

**APPLICATION FOR RULE 2004 EXAMINATION OF**  
**ADIRONDACK ENTERTAINMENT AND RECREATION, INC.**  
**AND THOMAS ZEPPIERI**

Holly Raj, Inc., by its attorneys, Hodgson Russ LLP, seeks relief under Bankruptcy Rule 2002, and alleges:

1. Holly Raj, Inc. filed for voluntary relief pursuant to Chapter 11 of the Bankruptcy Code on March 2, 2010.
2. Holly Raj, Inc. owns commercial property in Lake George, New York formerly owned by Thomas Zeppieri and Adirondack Entertainment and Recreation, Inc.
3. At the time of the purchase, it was represented to Holly Raj, Inc. that gross income at the property would exceed \$350,000.00 in 2007. Gross revenue was approximately \$220,000.00.
4. In 2008, gross revenue slipped to approximately \$180,000.00.
5. Prior to the start of the 2009 season, Thomas Zeppieri approached the Debtor and projected that gross revenue would approach \$400,000.00 if he was allowed to manage it for the 2009 season.

6. The Debtor agreed to management by Thomas Zeppieri. However, the Debtor received no income for the 2009 operation and attempts to obtain an account from Mr. Zeppieri have been unsuccessful.

7. In addition, Mr. Zeppieri has removed arcade games and other equipment that belong to the Debtor's operation in Lake George, New York and has not compensated the Debtor for revenue earned over the winter on these machines, nor has he accounted for the revenue.

8. It is respectfully submitted that the Debtor is entitled to conduct an examination under Rule 2004 to determine what Thomas Zeppieri and Adirondack Entertainment and Recreation, Inc. have done with assets of the Debtor and to account for 2009 management of the operations of the Debtor.

WHEREFORE, the Debtor therefore seeks an Order from this Court directing Thomas Zeppieri to appear for an examination under Rule 2004 to account for his transactions and the transactions of his Company, Adirondack Entertainment and Recreation, Inc. with the Debtor, to take place at the United States Bankruptcy Court, 445 Broadway, Albany, New York, or at a mutually agreeable location, and for whatever further relief the Court deems just and proper.

DATED: March 2, 2010

HODGSON RUSS LLP  
Attorneys for Debtor

By: 

RICHARD L. WEISZ  
677 Broadway, Suite 301  
Albany, New York 12207  
(518) 465-2333